

REMARKS

This is a request for continued examination (RCE) and a claim amendment that is a response to a Notice of Allowance dated May 28, 2009. Prior to this RCE/amendment response, claims 1-2, 4-7, 12-16, 19, 23, 92 and 100 were pending. Within this response, independent claim 1 is currently amended.

Also note that an Information Disclosure Statement (IDS), citing (3) references is being filed with the U.S. Patent and Trademark Office (USPTO) accompanying this RCE/amendment response filing. Special circumstances regarding this IDS are described within the IDS itself.

The Applicant amends claim 1 to further clarify that the scope of claim 1 is intended to include an abnormality of the brain, such as brain damage from a head trauma, as a possible contributing cause of an appearance of an abnormality within a retinal portion of the eye. Support for this amendment is found in paragraph (28) of the specification as filed (corresponding to paragraph 25 of the published application). No new matter is added.

In summary, based upon the above remarks and claim amendments, the Applicant respectfully asserts that the pending claims 1-2, 4-7, 12-16, 19, 23, 92 and 100 of the subject patent application are in condition for allowance and patentable over the cited art applied by the Examiner. Applicant respectfully requests a Notice of Allowance.

If the Examiner wishes to expedite disposition of the subject patent application, he is invited to contact Applicant's representative at the telephone number listed below.

The RCE fee will be paid by credit card at the time of filing this response. In the event that any additional fees are required, the Director is hereby authorized to charge Deposit Account No. 50-3010 for any additional fees and to charge any overpayments thereto.

Respectfully submitted,

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